



Austin City Council MINUTES

For JULY 19, 1990

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

1. Approved Minutes for Regular Meeting of July 12, 1990

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

CITIZEN COMMUNICATIONS

2. Ms. Judy Danielson discussed appointment to the Renaissance Market Commission.
3. Ms. Sue Schorer discussed current City issues.
4. Mr. Crispin Villarreal, to discuss Fire Department response.
(Withdrawn his request to speak)
5. Mr. Ronny Mack discussed cable television issues and their impact on public access television in Austin.
6. Mr. H.W. Tony Hearn showed slides and discussed overflowing litter containers in City downtown sector.
7. Mr. David N. Elliott discussed current City issues.
8. Mr. Stephen Beers discussed the airport and economic adjustment issues related to the closing of Bergstrom Air Force Base.
9. Hank Sinatra discussed the Music Channel.
10. Bill Gilstrap discussed the Anti-Apartheid Ordinance and proposed library materials

ITEMS CONTINUED FROM PREVIOUS MEETING

11. Approved an ordinance amending Chapter 9-11 of the City Code relating to Aviation to clarify certain security and traffic violations and provide administrative changes. (Waiving the requirement for three readings.)

Approved with 10 minute waiting time, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

ITEMS CONTINUED FROM PREVIOUS MEETING (continued)

12. Adopted a resolution establishing that the City of Austin will work toward placing the airport at Bergstrom as an inducement to the U.S. Air Force to retain U.S. Air Force reserve units. (Councilman Robert Barnstone and Councilmember Bob Larson)

On Councilmember Barnstone's motion, Councilmember Larson's second, 5-2 Vote, Mayor Pro Tem Urdy, Councilmember Carl-Mitchell voted No)

Motion to Amend - FAILED

Councilmember Carl-Mitchell made a motion to amend the above resolution to "delete the third whereas (WHEREAS, the City of Austin has been informed that relocation of the Municipal Airport to Bergstrom Air Force Base would serve as an inducement to the United States Air Force to retain a significant presence of reserve units) and then the BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN: The City Council of Austin will work with the Air Force to retain reserve units in the Austin area". Motion FAILED by a vote of 2-5 with Mayor Cooke Councilmembers Barnstone, Epstein, Larson and Nofziger voting No.

13. Approved amending the 1989-90 Operating Budget by appropriating \$240,000.00 from the Environmental and Conservation Services Fund ending balance to the Environmental and Conservation Services Department to fund personnel costs.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 7-0 Vote.

14. Adopted an Ordinance prohibiting alcohol consumption on public property in the downtown area.

FIRST READING ONLY, on Councilmember Nofziger's motion, Councilmember Larson's second, 4-3 Vote, Mayor Pro Tem Urdy, Councilmember Carl-Mitchell and Councilmember Epstein voted No.

15. Reconsider the Council's January 11, 1990 directive to the City Manager to hire a consultant to evaluate the feasibility of developing a program or ordinance to control the use of ozone depleting chemicals and consider a resolution repealing the 1-11-90 resolution. (Councilmember Bob Larson)

Motion by Councilmember Larson to repeal received no second - Motion died for lack of second - No action taken.

16. Brief report to Council by the Texas Policy Research forum on youth gangs. (Mayor Lee Cooke)

The report was presented by Mr. Gus Garcia.

17. Reconsider the City Council endorsement of the TDS landfill permit application before the Texas Department of Health and adopt a resolution repealing the previous resolution and opposing the permit application. (Councilmember Bob Larson) [No Citizen Sign-Up]

This item was postponed for an indefinite amount of time.

18. Authorize negotiating and entering into an agreement to lease the Arthur B. DeWitty building at 2209 Rosewood Avenue to the Austin Housing Authority for ten (10) years with all operating costs to be paid for by the Austin Housing Authority. (The Austin Housing Authority will also pay a \$200.00 per month maintenance expense to the City)

Council discussed and requested the City Manager to request staff to study proposal presented by speakers and bring back to Council on August 9, 1990. There will be no citizen input at that time.

19. Approved a twelve (12) month supply agreement award to BROWNING-FERRIS, INC., P.O. Box 1788, Austin, Texas, for the provision of waste collection and disposal services at various departmental facilities, with two (2) twelve (12) month extension options in the amount of \$102,759.92 each, for a total three (3) year contract in the total amount not to exceed \$308,279.76. (Funds for the amounts to be incurred in the current fiscal year was included in the 1989-90 Operating Budgets of the departments affected). Low bid of three (3) bids. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 90-02613-RF.

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Larson out of the room.

ORDINANCES

20. Approve declaration of the necessity and ordering improvements to Slaughter Lane Segment II and Genoa Drive, a Special Assessment Project. (Estimated cost of project \$5,714,049.00. Cost includes constructing, reconstructing, repairing and aligning curbs, gutters and sidewalks. Forty-four (44) parcels will be assessed.)

This item was discussed and then postponed to August 9, 1990.

21. Authorize the issuance and sale of the City of Austin, Texas, Subordinate Lien Revenue Bonds, Series 1990. (\$6,395,000.00-State Revolving Fund No. 2065-1, Debt Service requirements payable in future years from Water & Wastewater Utility Service revenues.)

Postponed to July 26, 1990.

22. Approve a Resolution authorizing the execution of a Paying Agent/Registrar Agreement with Bank One, Texas, National Association, Austin, Texas, for the City of Austin, Texas Subordinate Lien Revenue Bonds, Series 1990. (Principal sum of \$6,395.00 in evidence of SRF loan from the State Revolving Fund loan - Texas Water Development Board.)

Postponed to July 26, 1990.

23. Adopted a Resolution expressing interest to the Texas Water Development Board (TWDB) in seeking low interest loan funds from the State Revolving Fund loan program.

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 7-0 Vote.

ORDINANCES (continued)

24. Approved amending the 1989-90 Operating Budget to accept a grant from the Texas Parks and Wildlife Department in the amount of \$500,000.00, and amend the FY 1989-90 Capital Budget by appropriating \$500,000.00 from this grant to the Parks and Recreation Department's CIP Project No. 91/86-03 for the development of Mary Moore Searight Park.

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 7-0 Vote.

25. Approved amending the 1989-90 Operating Budget to accept a grant from the Texas Parks and Wildlife Department in the amount of \$500,000.00, and amend the FY 1989-90 Capital Budget by appropriating \$500,000.00 from this grant, \$278,000.00 from C.I.P. Bikeway Funds and transferring \$40,000.00 included in the FY 1989-90 Public Works C.I.P. Budget to Parks and Recreation's C.I.P. Project No. 91/86-04 for the development of Veloway Park.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-1 Vote, Councilmember Larson voted No.

26. Amend the Springwoods MUD Consent Agreement to provide for the defeasance of contract revenue bonds and to authorize the distribution and use of surplus escrow funds following the defeasance of bonds.

Postponed to July 26, 1990.

RESOLUTIONS

27. Authorized release of a portion of the Blanket Electric Easement of record in Volume 655, Page 359 of the Deed Records of Travis County, Texas, locally known as 1601 East Anderson Lane. (Request submitted by Debra Goodman on behalf of John D. Byram, Donald J. Reese and John L. Needham - \$250.00 application fee has been paid).
28. Authorized release of a portion of an Electric Transmission and Distribution Line Easement recorded in Volume 409, Page 121, Real Property Records of Travis County, located on a tract of land on Rutherford Lane between Cameron Road and Furness Drive. (Request submitted by Ardee Drosche (Electric Department) on behalf of Edward Joseph Developments, Ltd. - No fee assessed on this request.)
29. Authorized release of a portion of an Electric Transmission and Distribution Line Easement recorded in Volume 413, Page 185, Real Property Records of Travis County, located on a tract of land on Rutherford Lane between Cameron Road and Furness Drive. (Request submitted by Ardee Drosche (Electric Department) on behalf of Edward Joseph Developments, Ltd. - No fee assessed on this request.)
30. Authorized release of a portion of the Electric and Telephone Easements recorded in Volume 8163, Page 289, Travis County Deed Records, located on Lot 13, Block G., Tanglewood Forest, Section Four, Phase "A", locally known as 10203 Brantley Bend. (Request submitted by John Heberling on behalf of GEMICO - \$250.00 application fee has been paid.)

31. Authorized release of a portion of the Electric Easement recorded in Volume 914, Page 88 of the Real Property Records of Travis County, located on Lot 29 and Lot 30, Block B, Green Acres Subdivision, locally known as 2606 Addison Avenue. (Request submitted by Pamela S. Bacon on behalf of Mrs. Betty Lou Murtha, Etta Mae Martin, Alton Lee Courtney, Glen C. Thurman and Russell Teague Thurman - \$250.00 application fee has been paid.)
32. Authorized release of a portion of the Public Utility Easement recorded in Book 3, Page 164, Plat Records of Travis County, located on Lot 18 and 19, Sunset Hill Enfield, locally known as 2408 Windsor Road. (Request submitted by William R. Fitzgerald, Executor on behalf of the Estate of A.L. Koelzer, deceased, and Zella M. Koelzer deceased - \$250.00 application fee has been paid)
33. Authorized release of portions of the Sewer, Gas, Water Main, Electric and Telephone Easement of record in Volume 339, Page 102 of the Travis County Deed Records, located at Lot 35, Enfield B., locally known as 1601 West Lynn. (Request submitted by Lucy Ross on behalf of Lee Alan and Virginia Dunnam Lahourcade - \$250.00 application fee has been paid)
34. Authorized the filing of Eminent Domain Proceedings to acquire a Waterline and Electric Easement containing 7,685 square feet of land and a Wastewater Easement containing 5,168 square feet of land out of Lots 1 and 2 of One Eighty-Three Center, a Subdivision in Austin, Travis County, Texas, owned by Resolution Trust Corporation, Receiver for Bright Banc Savings Association for the U.S. Highway 183 Improvements Project.
35. Approved a contract award (RFP), to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, 314 Highland Mall Blvd., Suite 258, Austin, Texas, in the amount of \$208,395.41. for vegetation control in creeks and detention/sedimentation ponds. (Drainage Fee Revenue: \$158,754.77 channels, \$49,640.64 ponds). The prime did not identify any subcontracting opportunities.

No. 27 through 35 on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote)

36. Approved a contract (RFP) to DIGITAL EQUIPMENT CORPORATION, 9442 Capital of Texas Highway, Austin, Texas, for computer hardware and software to improve systems used for review and processing of development permits, in an amount not to exceed \$302,854.00. (Funding included in 1989-90 Operating Budget for the Planning Department). Best proposal of seven (7). 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 90-0453-3AB

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 6-1 Vote, Councilmember Barnstone voted No.

37. Approved execution of a contract with A-1 Elevator Service Inc., 2015 South IH-35, Austin, Texas, for a twelve (12) month elevator maintenance service agreement for at various departmental facilities, in an amount not to exceed \$49,062.00, with two (2) twelve (12) month extension options in an amount not to exceed \$51,515.00 each for a total amount not to exceed \$152,092.00. (Funding provided in 1989-90

RESOLUTIONS - (continued)

Operating budget for the Purchasing Office). Low bid of four (4) bids. The prime did not identify any subcontracting opportunities. Reference File No.90-0266-3RF. On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

38. Authorize appointment of Austin Housing Finance Corporation as the City's Agent to perform the duties under the Community Continental Funding (CCF)/U.S. Escrow contract.

Pulled off the agenda.

39. Set a public hearing for paving assessments to be levied on Cameron Road Phase 1 and 2 from U.S. 183 to Rundberg Lane. (Date and time: October 25, 1990 at 3:00 p.m.)

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

40. 5:00 P.M. - Proposed 1990-91 Capital Improvements Program and Operating Budget

The Public Hearing was closed, on Councilmember Larson's motion, Councilmember Nofziger's second, (6-0 Vote, Councilmember Carl-Mitchell out of the room.

4:00 P.M. - ZONING HEARINGS AND CONSIDERATION OF ORDINANCES**ZONING DISTRICTS****Termination of Restrictive Covenant**

41. C14-82-121 - PARKSIDE LODGES/FRANCES HAMM, by Paul Smith, 809 West Martin Luther King Boulevard, 1809 Pearl Street. APPROVED
42. C14-83-052 - PARKSIDE LODGES/FRANCES HAMM, by Paul Smith, 805 West Martin Luther King Boulevard. APPROVED
43. C14-83-053 - PARKSIDE LODGES/FRANCES HAMM, by Paul Smith, 807 West Martin Luther King Boulevard. APPROVED

(On Councilmember Larson's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmember Barnstone and Mayor Pro Tem Urdy out of the room.)

Waiver From One-Half Mile Group Home Spacing Requirement

44. GHV-90-0001 - PARKSIDE LODGES/FRANCES HAMM, by Paul Smith, 809 West Martin Luther King Boulevard. APPROVED

(On Councilmember Larson's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmember Barnstone and Mayor Pro Tem Urdy out of the room)

ITEMS FROM COUNCILAction for Metropolitan Government (AMEGO) [Items 45-48]

45. Adopted a resolution directing the final preparation of an interlocal contract for Parks consolidation as follows: (Councilmember Michael "Max" Nofziger)

"City Council and Commissioner's Court of Travis County direct the City Manager, City Attorney and directors of Parks and Recreation, and County Attorney and County Parks Administrator, to finalize an interlocal contract with full cost recovery; a progress report is to be brought before governing bodies for review no to be posted on City Council agenda for final action October 4, 1990."

On Councilmember Nofziger's motion, Mayor Cooke's second, 7-0 Vote.

46. Adopt a resolution establishing a joint Austin/Travis County Vehicle Maintenance Committee composed of City and County staff and authorizing the City of Austin General Services Department to conduct an analysis of joint vehicle maintenance operations. (Councilmember Michael "Max" Nofziger)

Joint public hearing with County Commissioners July 31 @ 4 P.M., Central Library

47. Adopt a resolution establishing a joint Austin/Travis County Information Systems Group to oversee Information System cooperation and planning. (Councilmember Michael "Max" Nofziger)

Joint public hearing with County Commissioners July 31 @ 4 P.M., Central Library

48. Extended Ray Associates, Inc. contract and completion date for Parks, Vehicle Maintenance, and Information Systems consolidation studies from August 31, 1990 to December 31, 1990. (No fiscal impact). [Councilmember Michael "Max" Nofziger]

On Councilmember Nofziger's motion, Councilmember Barnstone's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

49. Discussion and possible revisions to the Anti-Apartheid Ordinance dealing with the acquisition of books for the Public Library. (Mayor Lee Cooke)

Postponed

50. Approved street closures to control parking in neighborhoods during Aqua Fest. (Councilmember Smoot Carl-Mitchell)

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0.

51. Set a public hearing on amendments to the Land Development Code relating to the procedures and requirements for re-creation of a Neighborhood Conservation Combining District. (Date and time: August 9, 1990 at 3:00 p.m.) [Councilmember Smoot Carl-Mitchell]

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 7-0 Vote

ITEMS FROM COUNCIL (continued)

52. Report and discussion on police policies and activities relating to stops, searches, and photographing of citizens. (Councilmember Smoot Carl-Mitchell and Mayor Pro-Tem Charles Urdy)

Postponed to July 26, 1990.

53. Adopted the Budget Public Hearing schedule (Mayor Lee Cooke):

August 27, 1990	6:30 p.m.	Neighborhood Public Hearing	To be Determined
August 28, 1990	6:30 p.m.	Neighborhood Public Hearing	To be Determined
August 29, 1990	6:30 p.m.	Neighborhood Public Hearing	To be Determined
August 30, 1990	1:00 p.m.	Operating and Capital Budget	Council Chambers
September 6, 1990	1:00 p.m.	Operating and Capital Budget	Council Chambers
September 10, 1990	1:00 p.m.	Water/Wastewater Rates, Cost Allocation and Rate Design	Council Chambers
September 10, 1990	1:00 p.m.	Electric Utility Capital and Operating Budget	Council Chambers

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 7-0 Vote

54. APPOINTMENTS

PLANNING COMMISSION

Jackie Goodman and Scott Roberts, on Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

Henry Gilmore, on Councilmember Larson's motion, Mayor Cooke's second, 6-1 Vote, Councilmember Carl-Mitchell voted No.

Cal Varner, on Mayor Pro Tem Urdy's motion, Mayor Cooke's second, 7-0 Vote.

ARTS AND RECREATION SUB-COMMITTEE

Cynthia Alexander, on Councilmember Nofziger's motion, Councilmember Barnstone's second, 7-0 Vote.

ADJOURN

The Council adjourned its meeting at 11:46 P.M.